

BOND # _____

PROJECT # _____

DATE _____

CASH BOND
TEMPORARY CERTIFICATE OF OCCUPANCY

This cash bond is provided to obtain approval of a certificate of occupancy for the Premises identified as Street Address (Identify structures to be connected if less than the entire project) where certain work or construction is occurring, which work or construction is referred to as "the Work".

The contractor or party responsible for the Work, who is referred to in this cash bond as "Principal", is Principal's corporate or individual name and address.

(Check and initial the box corresponding to whichever of the two following provisions applies:)

☐ _____
Initials Principal is the owner of the Premises, and hereby expressly grants the City of Tucson a right of entry onto the Premises, if necessary, to bring the Work into conformance with the requirements of this Bond.

☐ _____
Initials Principal has received an express delegation of authority from the owner of the Premises and, pursuant to that delegation, Principal hereby (1) represents that Principal is authorized to do the Work and (2) expressly grants the City of Tucson a right of entry onto the Premises, if necessary, to bring the Work into conformance with the requirements of this Bond.

To secure and assure performance of the obligations described in this cash bond, Principal has deposited with the City of Tucson the cash sum of _____.

Principal has applied for a temporary certificate of occupancy for the Premises. This cash bond is provided to comply with and shall be construed and interpreted in harmony with Section 309.4 of the City of Tucson Building Safety Administrative Code.

Principal shall comply with the requirements of the City of Tucson Building Safety Administrative Code and technical codes that apply to the building or buildings that are the subject of this temporary certificate of occupancy. Principal shall also comply with all rules, regulations, and requirements lawfully promulgated under those codes regulating the authorization, use, termination and revocation of this temporary certificate of occupancy. If the City of Tucson determines that Principal has failed to comply with these requirements, the City of Tucson shall notify Principal that it intends to, and after such notice may, withdraw and use that amount of the cash bond necessary to bring Principal's work into conformance with these requirements.

The City of Tucson shall hold this cash bond for the duration of this temporary certificate of occupancy and for thirty days thereafter. If during that time any of the following events occurs, this cash bond shall be retained by the City of Tucson until Principal's default is cured or until final disposition of all legal actions and claims, whichever occurs last:

- The City of Tucson gives Principal notice of default.
- A legal action or claim is filed relating to this cash bond.
- The City of Tucson notifies Principal that it reasonably believes there is an impending legal action or claim relating to this cash bond.

Notice to Principal shall be sufficient if mailed or hand delivered to Principal's address inserted where indicated above.

This cash bond shall neither be void nor terminate when the City withdraws less than the full amount of this bond, but may be used and recovered upon from time to time until the full amount of this bond is exhausted.

This cash bond is for the benefit of the City of Tucson and any person damaged as a result of any violation of the technical codes referred to in this cash bond.

Principal and Principal's heirs, personal representatives, successors, and assigns are jointly and severally liable for and bound by the obligations described in this cash bond.

IN WITNESS WHEREOF the Principal has duly executed this cash bond and has deposited the cash bond amount with the City of Tucson this ____ day of Month, 2002.

"PRINCIPAL":

CORPORATE NAME HERE; LEAVE BLANK IF
NOT INCORPORATED

By: _____
Signature of Principal or authorized agent
Printed name of signer

Its: _____
Signer's title, if any

STATE OF ARIZONA)
County of Pima) ss.

SUBSCRIBED AND SWORN TO BEFORE ME this ____ day of Month, 2002 by
name of signer, and if signing on behalf of a corporation, insert ", [signer's title] of [name of

My commission expires:

Notary Public

Form approved this 8th day of July, 2002. (Form with original signature of approval is on file in the City Clerk's Office.)

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Michael D. House

Michael D. House, City Attorney

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